

Senate Bill 331

By: Senators Smith of the 52nd, Rogers of the 21st, Williams of the 19th, Seabaugh of the 28th, Hill of the 32nd and others

A BILL TO BE ENTITLED
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to authorize small businesses to enter into arrangements for the purpose of providing group health insurance to their employees; to provide for definitions; to require insurers to issue such policies; to authorize the Commissioner of Insurance to adopt certain rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding a new Code Section 33-30-16 to read as follows:

"33-30-16.

(a) As used in this Code section, the term:

(1) 'Health benefit plan' means any hospital or medical insurance policy or certificate, health care plan contract or certificate, qualified higher deductible health plan, or health maintenance organization subscriber contract. Health benefit plan does not include policies issued in accordance with Chapter 31 of this title; disability income policies; policies issued in accordance with Code Section 34-9-14 or 34-9-122.1; limited accident and sickness insurance policies such as credit, dental, vision, medicare supplement, long-term care, hospital indemnity, or specified disease insurance; coverage issued as a supplement to liability insurance; workers' compensation or similar insurance; or automobile medical payment insurance.

(2) 'Insurer' means any insurer or nonprofit organization authorized to sell accident and sickness policies, subscriber contracts, certificates, or agreements of any form under Chapters 15, 18, 19, 20, 21, 29, and 30 of this title.

(3) 'Small employer' means any person, firm, corporation, partnership, association, political subdivision, or sole proprietor that is actively engaged in a business that, at the time of application, on at least 50 percent of its working days during the preceding

calendar quarter, employed no fewer than two and no more than 50 eligible employees, in which a bona fide employer-employee relation exists. Nothing in this Code section shall be construed to prohibit a carrier from including self-employed individuals in its definition of small employer.

(b) Small employers shall be authorized to enter into arrangements with other small employers to provide group health insurance coverage for their employees by contributing to the cost of such health care insurance.

(c) Any insurer authorized to transact business in this state offering group accident and sickness insurance policies or contracts shall be required to offer, through a licensed agent or agency, a group health benefit plan to small business arrangements as described in this Code section.

(d) The Commissioner shall promulgate such rules and regulations as necessary to implement the provisions of this Code section.

(e) For purposes of this Code section, the health benefit plan shall be considered as a true group and not as an association."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.